

ROW005A

201005.WA
City of Olive Branch

1/28/2005d (DS)

pa 3/23/05 12:16:12
p- BK 500 PG 357
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

ca 1/21/05

005-0-00-W

Do not record above this line.

WARRANTY DEED

THE STATE OF MISSISSIPPI

County of DeSoto

For and in consideration of the herein named City of Olive Branch making a
gift to the Mississippi Transportation Commission, and other ^{COOB by SAR} ~~other~~ ^{COOB by JCH}

~~xx~~ ^{COOB by SAR} ~~valuable consideration, xx~~ ^{COOB by JCH} the receipt and sufficiency of which is hereby acknowledged.

For we, the undersigned, ^{COOB by SAR} ~~hereby~~ ^{COOB by JCH} grant, bargain, sell, convey and warrant unto the Mississippi
Transportation Commission the following described land:

INDEXING INSTRUCTIONS:

SE 1/4 of the SE 1/4 of Section 4,
Township 2 South, Range 6 West,
Desoto County, Mississippi

The following description is based on the Mississippi State Plane Coordinate System West Zone, NAD83(93), grid values, using a scale factor of 0.999976011 and a delta angle of positive (+) 00 degrees 17 minutes 17 seconds as developed for Federal Aid Project Number STP-0031-02(001) [101427/202000] by the Mississippi Department of Transportation.

Commencing at a Cotton Picker Spindle, identified on the above referenced coordinate system as N 1976934.57, E 2447333.98 found at the Southeast corner of Section 4, Township 2 South, Range 6 West, Desoto County, Mississippi, run thence North 36 Degrees 10 Minutes 58 Seconds West for a distance of 164.88 feet, to a point where the proposed Western right of way line for the Mississippi State Road No. 305 realignment intersects the North line of a paved county road A.K.A. Church Road as shown on the acquisition maps of Federal Aid Project Number STP-0031-02(001) [101427/202000], said point having a coordinate value of N 1977067.66, E 2447236.64 on the above referenced coordinate system and being 90.0 feet left of the proposed Mississippi State Road No. 305 realignment at station 652+59.90, and being hereinafter referred to as the **Point of Beginning**;

COOB by SAR

COOB by JCH

MDOT

City of Olive Branch

005-0-00-W

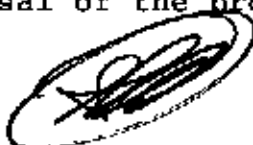
Page 2

- Run thence North 02 Degrees 46 Minutes 51 Seconds West along the West line of said proposed right of way a distance of 596.48 feet, to the point of intersection with the centerline of Lick Creek;
- Thence North 82 Degrees 25 Minutes 52 Seconds East along the centerline of Lick Creek for a distance of 59.54 feet to the point of intersection with the existing West right of way line of Mississippi State Road No. 305;
- thence South 00 Degrees 40 Minutes 28 Seconds East along said existing right of way line a distance of 566.28 feet to the point of intersection with the North line of Church Road;
- thence South 44 Degrees 31 Minutes 25 Seconds West along the North line of said road a distance of 52.42 feet, to the **Point of Beginning**;

The tract described above contains 0.65 acres, more or less, being situated in the Southeast Quarter of the Southeast Quarter of Section 4, Township 2 South, Range 6 West, Desoto County, Mississippi.

We fully understand that we have the right to receive just compensation for the real property herein described based on an appraisal of said property. We hereby waive our right to just compensation and donate the real property herein described to the Mississippi Transportation Commission. We further understand that we have the right to request that a fair market value appraisal of the property be made and we hereby waive that right.

COOB by SPR
COOB by gct



The grantor herein further warrants that the above described property is no part of his/or her homestead.

It is further understood and agreed that the consideration herein named is in full, complete and final payment and settlement of any claims or demands for damage accrued, accruing, or to accrue to the grantors herein, their heirs, assigns, or legal representatives, for or on account of the construction of the proposed highway, change of grade, water damage, and/or any other damage, right or claim whatsoever.

The grantors herein agree to pay all real property taxes assessed against the above described property for the current year.

COOB by SPR



COOB by gct

City of Olive Branch

005-0-00-W

Page 3

It is further understood and agreed that this instrument constitutes the entire agreement between the grantor and the grantee, there being no oral agreements or representations of any kind.

Witness our signature s the 6th day of April A.D., 2005
City of Olive Branch

By: Samuel P. Rikard
Samuel P. Rikard, Mayor, City of Olive Branch

By: Judy C. Herrington
Judy C. Herrington, City Clerk, City of Olive Branch

Grantee, Prepared by and return to:Miss. Department of TransportationRight of Way DivisionP. O. Box 1850Jackson, Mississippi 39215-1850Phone: 601-359-7512Account No. STP-0031-02(001) [101427\202000]**Grantor Address:**City of Olive Branch9189 Pigeon RoostOlive Branch, Mississippi 38654Phone: (662)892-9211Business No. (662)892-9350**Attest:**

Judy C. Herrington
Judy C. Herrington, City Clerk
City of Olive Branch, Mississippi

(SEAL)

City of Olive Branch

005-0-00-W

Page 6

In the case of persons acting in representative capacities:

STATE OF Mississippi
COUNTY OF DeSoto

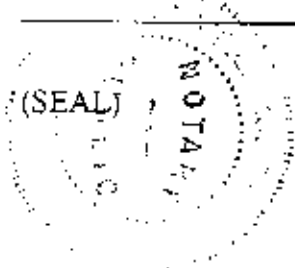
Personally appeared before me, the undersigned authority in and for the said county and state,
on this 6th day of April, 20 05, within my jurisdiction, the within named
Judy C. Herrington and Samuel P. Rikard

who acknowledged that ~~(he)(she) is~~ they are City Clerk and Mayor, ~~xxx~~
respectively, of the City of Olive Branch, Mississippi and that in said
they
representative capacity ~~(he)(she)~~ executed the above and foregoing instrument, after first having been duly
authorized so to do.

Jina Rena Williams (NOTARY PUBLIC)

My commission expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES AUG 13, 2006
BONDED THRU STEGALL NOTARY SERVICE



MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF OLIVE BRANCH
APRIL 5, 2005

261

18. Authorize correction of two (2) scrivener's errors on plat of Arbors of Wedgewood Subdivision, Phase 1 to add a 10' sewer easement to Lot #8 and to add a 20' drainage easement along the shared property line between Lots #12 and #13, as requested by Greg Russell, Russell & Company. (Authorized) Order as follows:

ORDER OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF OLIVE BRANCH, MISSISSIPPI APPROVING
PLAT CORRECTION DUE TO SCRIVENER'S ERRORS

WHEREAS, Greg Smith, Russell & Company has submitted a request to the Mayor and Board of Aldermen to authorize the correction of scrivener's errors on the recorded plat of the Arbors of Wedgewood Subdivision, Phase 1, which is recorded in Plat Book 90 at Page 10, and

WHEREAS, the applicant is requesting that a 10' sewer easement be added to Lot #8 and a 20' drainage easement be added along the shared property line between Lots 12 and 13, and

WHEREAS, the Mayor and Board of Aldermen are desirous of approving the correction.

NOW, THEREFORE, BE IT ORDERED by the Mayor and Board of Aldermen of the City of Olive Branch, Mississippi as follows, to wit:

1. The above referenced amendments to the recorded plat of the Arbors of Wedgewood Subdivision, Phase 1 be, and the same are hereby approved for amendment.
2. The Chancery Clerk of DeSoto County, Mississippi be, and he is hereby requested to amend the recorded plat of the Arbors of Wedgewood Subdivision, Phase 1, recorded in Plat Book 90 at Page 10, to reflect the above referenced amendments.

ORDERED AND DONE this 5th day of April, 2005.


SAMUEL P. RIKARD, MAYOR

ATTEST:


JUDY C. HERRINGTON, CITY CLERK

19. Authorize donation of approximately 800 square feet of temporary easement (having appraised value of \$100) and approximately .65 acres of Road Right-of-Way (having appraised value of \$13,000) at the corner of Church Road and MS Highway 305 to MDOT for the widening of MS Highway 305 and authorize the execution of Easement Agreement, Warranty Deed and other documents required for same. (Authorized) Order as follows:

ORDER OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF OLIVE BRANCH, MISSISSIPPI APPROVING

**MINUTES OF THE REGULAR MEETING OF THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF OLIVE BRANCH
APRIL 5, 2005**

262

**DONATION OF TEMPORARY EASEMENT AND ROAD RIGHT-OF-WAY
TO MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Mississippi Department of Transportation (hereinafter "MDOT") has determined that they will need approximately 800 square feet of temporary easement, having an appraised value of \$100, and approximately 0.65 acres of Road Right-of-Way, having an appraised value of \$13,000, at the corner of Church Road and MS Highway 305, and

WHEREAS, MDOT has expressed a desire for the City of Olive Branch to donate the easement and right-of-way to MDOT so that Highway 305 can be widened for the FedEx Ground Project since State funding is low, and

WHEREAS, the Mayor and Board of Aldermen are desirous of approving the donation of the easement and right-of-way and authorizing the execution of all required documents by the Mayor.

NOW, THEREFORE, BE IT ORDERED by the Mayor and Board of Aldermen of the City of Olive Branch, Mississippi as follows, to wit:

1. The donation of approximately 800 square feet of temporary easement and approximately 0.65 acres of Road Right-of-Way, at the corner of Church Road and MS Highway 305 to MDOT, be, and the same is hereby approved.
2. The Mayor be, and he is hereby authorized and directed to sign all necessary documentation for and on behalf of and as the official act and deed of the City of Olive Branch.

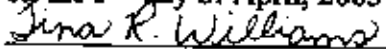
ORDERED AND DONE, this 5th day of April, 2005.


SAMUEL P. RIKARD, MAYOR

ATTEST:


JUDY C. HERRINGTON, CITY CLERK

I hereby certify that the foregoing is a true copy of the Order adopted in the regular meeting of the Mayor and Board of Aldermen of the City of Olive Branch, Mississippi on the 5th day of April, 2005 in book #61.


Tina R. Williams, Deputy Clerk

20. Rescind Order adopted 3/15/05 relative to action and motion declaring the condition of property identified as Parcel Number 1068-2800.0-00007.00, otherwise known as 7731 Murray Hill due to errors in notice relative to legal description and physical address. (Approved) Order as follows:

**ORDER OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF OLIVE BRANCH, MISSISSIPPI RESCINDING
ORDER OF MARCH 15, 2005 AUTHORIZING THE CLEANING OF PRIVATE
PROPERTY AND MAKING PROVISION FOR LIEN**

WHEREAS, pursuant to Section 21-19-11 of the Mississippi Code (1972), the Mayor and Board of Aldermen of the City of Olive Branch, Mississippi are authorized and empowered on their